

**BEST AVAILABLE COPY****RECEIVED  
CENTRAL FAX CENTER  
SEP 10 2004****TESTA, HURWITZ & THIBEAULT, LLP**

ATTORNEYS AT LAW

HIGH STREET TOWER  
125 HIGH STREET

OFFICE (617) 248-7000

BOSTON, MASSACHUSETTS 02110

FAX (617) 248-7100

**TELECOPY COVER SHEET**

---

*Equipment Operator Contact Number: 617-310-8424. Please call if you do not receive all the pages.*

---

**Date:** September 10, 2004

**TO:** **Name:** Examiner Brian Pendleton  
**Company:** U.S. Patent Office, Art Unit 2644  
**Address:**  
**Telephone:** 703-305-9509  
**Fax:** 703-872-9314

**FROM:** **Sender:** Elias C. Behrakis

**Number of Pages INCLUDING This Cover Sheet:** 22

**Client:** Massachusetts Institute of Technology, Media Lab

**Attorney Docket No.** MLB-055CP1 (6992/53)

**Re:** Pending U.S. Patent Application No. 09/300,022  
PARAMETRIC AUDIO SYSTEM

**Comments:****Dear Examiner:**

Thank you for your voicemail message to Steven Frank, which we received earlier today. As requested, I am faxing you a copy of the Amendment and related documents that were filed in connection with Application No. 09/300,022 on June 4, 2004. Please confirm your safe receipt of this facsimile by calling me at 617-310-8424 or by sending a confirmatory email to [behrakis@tlt.com](mailto:behrakis@tlt.com).

Thanks and regards,

Elias Behrakis, 47,416

This facsimile is subject to attorney-client privilege and contains confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by telephone and destroy the original transmission without making a copy.

3116913

---

Sent by \_\_\_\_\_ Date Sent \_\_\_\_\_ Time Sent \_\_\_\_\_


PATENT  
Attorney Docket No. MLB-055CP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): F. Joseph Pompei      CONFIRMATION NO.: 3989  
SERIAL NO.: 09/300,022      GROUP NO.: 2644  
FILING DATE: April 27, 1999      EXAMINER: Pendleton, Brian T.  
TITLE: Parametric Audio System

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 4th day of June, 2004.

  
Sandra Allen

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 pg);
2. Fee Transmittal (1 pg);
3. Amendment and Response (15 pgs);
4. Petition for Extension of Time Under 37 CFR 1.136(a) (3 month) (1 pg);
5. A check in the amount of \$950.00; and a
6. Return Receipt Postcard.

3076161

# TRANSMITTAL FORM

Application Serial Number	09/300,022
Filing Date	April 27, 1999
First Named Inventor	F. Joseph Pompei
Group Art Unit	2644
Examiner Name	Pendleton, Brian T.
Attorney Docket No.	MLB-055CPI
Patent No.	Not applicable
Issue Date	Not applicable


## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Check Attached (\$950.00)<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Amendment and Response (15 pgs)<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input checked="" type="checkbox"/> Petition for Extension of Time (3 month) (1 pg)<br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|---|---|

### CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

### SIGNATURE BLOCK

Respectfully submitted,  
  
 Elias C. Behrakis  
 Attorney for Applicant  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

Date: June 4, 2004  
 Reg. No. 47,416  
 Tel. No.: (617) 310-8424  
 Fax No.: (617) 248-7100

3076164

RECEIVED  
CENTRAL FAX CENTER  
SEP 10 2004

PATENT  
Atty. Docket No. MLB-055CP1  
(6992/53)

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

APPLICANT: F. Joseph Pompei CONFIRMATION NO.: 3989  
SERIAL NUMBER: 09/300,022 ART UNIT: 2644  
FILING DATE: April 27, 1999 EXAMINER: Pendleton, Brian T  
TITLE: Parametric Audio System

**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed on December 5, 2003 in connection with the above-identified application, Applicant respectfully submits the following Amendment and Response.

Please cancel claims 7-9 without prejudice, amend claims 6, 30, and 39, and add new dependent claims 48-50 in the subject application as indicated herein. Applicant respectfully requests reconsideration and withdrawal of the rejections presented in the Office Action in view of the amendments and response presented in this paper.

Applicant submits herewith a petition and fee for a three-month extension of time, up to and including June 5, 2004, to respond to the Office Action. It is not believed that any further extensions of time or additional fees are required, beyond those which accompany this paper; however, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account Number 20-0531.